

Susan L. Oliver (SBN# 160902)
WHITE, OLIVER & AMUNDSON
 A Professional Corporation
 550 West C Street, Suite 950
 San Diego, California 92101
 Telephone: (619) 239-0300
 Facsimile: (619) 239-0344

Attorneys for Defendant Ira Grossman

**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA**

JOHN ESPINOZA, an individual,

Plaintiff,

v.

CITY OF IMPERIAL, a public entity; MIGUEL
 COLON, an individual; IRA GROSSMAN, an
 individual; and DOES 1-50, inclusive,

Defendants.

CASE NO. 07 CV 2218 LAB (RBB)

**DEFENDANT IRA GROSSMAN'S
 NOTICE OF MOTION AND MOTION
 TO DISMISS PLAINTIFF'S
 COMPLAINT**

**Date: June 2, 2008
 Time: 11:15 a.m.
 Judge: Hon. Larry A. Burns
 Ctrm: 9**

[ORAL ARGUMENT REQUESTED]

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on June 2, 2008, at 11:15 a.m., or soon thereafter this matter may be heard by the Honorable Larry A. Burns, in Courtroom 9, United States District Courthouse, 940 Front Street, San Diego, California. Defendant Ira Grossman will and does hereby move, pursuant to Rule 12(b)(6), of the Federal Rules of Civil Procedure to dismiss Plaintiff's Complaint on the following grounds:

1. Each and every of Plaintiff's claims as against Ira Grossman are barred by the application of statutory privileges codified at California Civil Code 47(b), and 47(c); and
2. Plaintiff's claims for invasion of privacy and intentional infliction of emotional distress do not state facts sufficient to state a claim against Ira Grossman.

///

1 This Motion will be based on this Notice, the attached Memorandum of Points and Authorities,
2 Ira Grossman's Request to Take Judicial Notice, all of the pleadings, papers, and records on file herein,
3 and upon such argument and further evidence may be presented to the Court at the hearing on this
4 Motion.

5 Dated: April 7, 2008

WHITE, OLIVER & AMUNDSON

6
7 By: s:/Susan L. Oliver

8 Susan L. Oliver

9 Attorneys for Defendant Ira Grossman
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28